

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

In re:)	
)	
HEARTLAND MEMORIAL HOSPITAL, LLC)	
)	Chapter 11
)	Bankruptcy No. 07-20188 JPK
Debtor.)	
)	

STIPULATION AND ORDER FOR MOTION FOR RELIEF FROM AUTOMATIC STAY

Subject to the approval of this Court, the parties hereby stipulate to the following Order Granting Relief from Automatic Stay pursuant to 11 U.S.C. 362(a) for the sole and express purpose of permitting the movant, Dennis Lopez (the "Movant") to proceed with his pre-petition medical malpractice claim (the "Claim") against the Debtor, Heartland Memorial Hospital, LLC a/k/a Illiana Surgery and Medical Center, LLC (the "Debtor"), subject to the following terms and conditions:

1. The Motion is granted and automatic stay is hereby modified for the sole and express purpose of allowing the Movant to name the Debtor as a party in a judicial proceeding filed for purposes of prosecuting their Claim; provided however the automatic stay is not modified to allow the Movant to collect or otherwise recover on his Claim any property of the Debtor or the Debtor's estate, including allowing for any payment by Debtor or from Debtor's estate to cover any deductible or other expenses associated with any insurance policies available to satisfy the claim, which obligation shall be borne by the Movant and the automatic stay is not modified to allow for any such recovery.

2. Following modification of the automatic stay under the express terms of this Order, the Debtor's bankruptcy proceeding does not affect the Movant's right to proceed to trial against the Debtor, as long as the proceeds that are collected are expressly limited to payment by the Debtor's medical malpractice insurer, the Indiana Department of Insurance pursuant to Indiana Code 34-18-1 or sources of recovery other than property of the Debtor or the Debtor's estate.

WHEREFORE, the Debtor and Movant pray for a Stipulation and Order for Motion for Relief from Automatic Stay from this Court.

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DAVID ABRAMS, NOT INDIVIDUALLY BUT
SOLELY AS THE LIQUIDATING TRUSTEE
AND COURT-APPOINTED MANAGER OF
HEARTLAND MEMORIAL HOSPITAL, LLC,

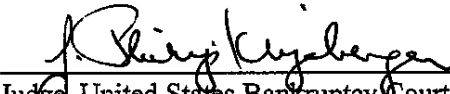
/s/ Laura R. Crowley
Laura R. Crowley (I.D. #21963-32)
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Dennis Lopez

By: /s/ Shawn D. Cox
Shawn D. Cox (I.D. #20074-45)
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Christopher J. Horvay (I.D. #1263315)
Mark E. Leipold (I.D. #6194124)
GOULD & RATNER LLP
222 North LaSalle Street, Suite 800
Chicago, IL 60601

APPROVED AND SO ORDERED:

Dated: September 2, 2009



Judge, United States Bankruptcy Court

CERTIFICATE OF NOTICE

District/off: 0755-2
Case: 07-20188

User: cag
Form ID: pdf004

Page 1 of 1
Total Noticed: 2

Date Rcvd: Sep 03, 2009

The following entities were noticed by first class mail on Sep 05, 2009.

dbpos +Heartland Memorial Hospital, LLC, 701 Superior Avenue, Munster, IN 46321-4037
aty +Laura Crowley, 127 E. Michigan Street, Indianapolis, IN 46204-1593

The following entities were noticed by electronic transmission.

NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 05, 2009

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.